

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RAYE THERESA ZAMMIT,
Plaintiff(s),

v.

RICHARD SOLOMONS, et al.,
Defendant(s).

Case No. 2:21-cv-00738-JAD-NJK

Report and Recommendation

TANYA RENEE ROBERSON,
Plaintiff(s),

v.

FRANK GIUNTA,
Defendant(s).

Case No. 2:21-cv-00740-JAD-NJK

Report and Recommendation

AARON JOHN DEVRIES, et al.,
Plaintiff(s),

v.

JASON MIKKELSEN,
Defendant(s).

Case No. 2:21-cv-00741-JAD-NJK

Report and Recommendation

ALESA LYN HART,
Plaintiff(s),

v.

DAVID SIMON, et al.,
Defendant(s).

Case No. 2:21-cv-00742-JAD-NJK

Report and Recommendation

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| 1 | BAHAELDEEN JACKNOON, | Case No. 2:21-cv-00743-JAD-NJK |
| 2 | Plaintiff(s), | Report and Recommendation |
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| 4 | FLORENCE J. ARM, | |
| 5 | Defendant(s). | |
| 6 | ALESA LYN HART, | Case No. 2:21-cv-00744-JAD-NJK |
| 7 | Plaintiff(s), | Report and Recommendation |
| 8 | v. | |
| 9 | PELICAN PLAZA MANAGEMENT | |
| 10 | COMPANY, LLC, et al., | |
| 11 | Defendant(s). | |
| 12 | BARBARA J. STRUTHERS, | Case No. 2:21-cv-00745-JAD-NJK |
| 13 | Plaintiff(s), | Report and Recommendation |
| 14 | v. | |
| 15 | MORTON SCHAPIRO, et al., | |
| 16 | Defendant(s). | |
| 17 | ALESA LYN HART, | Case No. 2:21-cv-00746-JAD-NJK |
| 18 | Plaintiff(s), | Report and Recommendation |
| 19 | v. | |
| 20 | NATHAN BENDERSON, | |
| 21 | Defendant(s). | |
| 22 | BECKY BARNES-BOERS, | Case No. 2:21-cv-00747-JAD-NJK |
| 23 | Plaintiff(s), | Report and Recommendation |
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| 25 | FIRST STREET SCHOOL, et al., | |
| 26 | Defendant(s). | |
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| 6 7 8 9 10 | BETTY J. BENNING, Plaintiff(s), v. GARY C. MOHR, et al., Defendant(s). | Case No. 2:21-cv-00749-JAD-NJK Report and Recommendation |
| 11 12 13 14 15 | ALESA LYN HART, Plaintiff(s), v. MARY DILLON, et al., Defendant(s). | Case No. 2:21-cv-00750-JAD-NJK Report and Recommendation |
| 16 17 18 19 20 21 | ELEANOR CLAIRE D'AMICO, Plaintiff(s), v. RITE AID STORE #10640, MANAGER, et al., Defendant(s). | Case No. 2:21-cv-00751-JAD-NJK Report and Recommendation |
| 22 23 24 25 26 27 28 | ALESA LYN HART, Plaintiff(s), v. ARNE SORENSON, et al., Defendant(s). | Case No. 2:21-cv-00752-JAD-NJK Report and Recommendation |

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| 1 2 3 4 5 | ELEANOR CLAIRE D'AMICO, Plaintiff(s), v. MACY'S GENERAL MANAGER, et al., Defendant(s). | Case No. 2:21-cv-00753-JAD-NJK Report and Recommendation |
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| 11 12 13 14 15 | AMORINE LEWIS, Plaintiff(s), v. ROSSMORE PARK HOA PRESIDENT, et al., Defendant(s). | Case No. 2:21-cv-00755-JAD-NJK Report and Recommendation |
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| 6 7 8 9 10 | TERRI JAYNE READ, Plaintiff(s), v. HOLIDAY INN CLUB VACATIONS, et al., Defendant(s). | Case No. 2:21-cv-00759-JAD-NJK Report and Recommendation |
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| 16 17 18 19 20 | AMY DEANNA HOOD, Plaintiff(s), v. JOHN C. MALONE, et al., Defendant(s). | Case No. 2:21-cv-00761-JAD-NJK Report and Recommendation |
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| 2 | Plaintiff(s), | Report and Recommendation |
| 3 | v. | |
| 4 | JENNIFER CUTHBERT, et al., | |
| 5 | Defendant(s). | |
| 6 | ANDY SEEMAN, | Case No. 2:21-cv-00764-JAD-NJK |
| 7 | Plaintiff(s), | Report and Recommendation |
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| 9 | MATTHEW JOBLON, et al., | |
| 10 | Defendant(s). | |
| 11 | ELEANOR CLAIRE D'AMICO, | Case No. 2:21-cv-00766-JAD-NJK |
| 12 | Plaintiff(s), | Report and Recommendation |
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| 14 | COSTCO WHOLESALE, et al., | |
| 15 | Defendant(s). | |
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| 17 | Plaintiff(s), | Report and Recommendation |
| 18 | v. | |
| 19 | THE HOME DEPOT, et al., | |
| 20 | Defendant(s). | |
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| 22 | Plaintiff(s), | Report and Recommendation |
| 23 | v. | |
| 24 | STOP & SHOP, et al., | |
| 25 | Defendant(s). | |
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| 11 12 13 14 15 | ANNE ELIZABETH FERRANTE, Plaintiff(s), v. SC INVESTMENTS LAS VEGAS INC., et al., Defendant(s). | Case No. 2:21-cv-00774-JAD-NJK Report and Recommendation |
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| 2 | Plaintiff(s), | Report and Recommendation |
| 3 | v. | |
| 4 | DOUGLAS A. KESSLER, et al., | |
| 5 | Defendant(s). | |
| 6 | TRICHELE REESE, | Case No. 2:21-cv-00778-JAD-NJK |
| 7 | Plaintiff(s), | Report and Recommendation |
| 8 | v. | |
| 9 | TISHMAN SPEYER PROPERTIES, LP, et | |
| 10 | al., | |
| 11 | Defendant(s). | |
| 12 | JOHN DONALD MESZAROS, et al., | Case No. 2:21-cv-00779-JAD-NJK |
| 13 | Plaintiff(s), | Report and Recommendation |
| 14 | v. | |
| 15 | INTERVAL INTERNATIONAL, INC., et al., | |
| 16 | Defendant(s). | |
| 17 | VALERIE BATCHELOR, et al., | Case No. 2:21-cv-00780-JAD-NJK |
| 18 | Plaintiff(s), | Report and Recommendation |
| 19 | v. | |
| 20 | CHRISTOPHER J. NASSETTA, et al., | |
| 21 | Defendant(s). | |
| 22 | CAROL A. WILLIAMS, | Case No. 2:21-cv-00781-JAD-NJK |
| 23 | Plaintiff(s), | Report and Recommendation |
| 24 | v. | |
| 25 | EXTENDED STAY OF AMERICA | |
| 26 | ATLANTA MANAGER, et al., | |
| 27 | Defendant(s). | |
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| 1 | JOHN SMITH WILLIAMS, | Case No. 2:21-cv-00782-JAD-NJK |
| 2 | Plaintiff(s), | Report and Recommendation |
| 3 | v. | |
| 4 | MICHAEL W. BRYANT, | |
| 5 | Defendant(s). | |
| 6 | WILLIAM FREDERICK SAAR, | Case No. 2:21-cv-00783-JAD-NJK |
| 7 | Plaintiff(s), | Report and Recommendation |
| 8 | v. | |
| 9 | STEVEN B. TANGER, et al., | |
| 10 | Defendant(s). | |
| 11 | JUDY KAY KATZ, | Case No. 2:21-cv-00784-JAD-NJK |
| 12 | Plaintiff(s), | Report and Recommendation |
| 13 | v. | |
| 14 | MOLINE POST OFFICE POSTMASTER, et | |
| 15 | al., | |
| 16 | Defendant(s). | |
| 17 | JULIE SIKORSKY, | Case No. 2:21-cv-00785-JAD-NJK |
| 18 | Plaintiff(s), | Report and Recommendation |
| 19 | v. | |
| 20 | DAVID JEFFREY, et al., | |
| 21 | Defendant(s). | |
| 22 | JASON CLARK, | Case No. 2:21-cv-00786-JAD-NJK |
| 23 | Plaintiff(s), | Report and Recommendation |
| 24 | v. | |
| 25 | MOTORWORLD AUTOMOTIVE GROUP, | |
| 26 | INC., et al., | |
| 27 | Defendant(s). | |
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| 1 JAMES MARTIN WOLF, 2 Plaintiff(s), 3 v. 4 RICHARD SOLOMONS, et al., 5 Defendant(s). | Case No. 2:21-cv-00789-JAD-NJK Report and Recommendation |
| 6 JAN SNELL HOUSTON, 7 Plaintiff(s), 8 v. 9 WALMART SUPERCENTER MANAGER, 10 et al., 11 Defendant(s). | Case No. 2:21-cv-00790-JAD-NJK Report and Recommendation |
| 12 JAN SNELL HOUSTON, 13 Plaintiff(s), 14 v. 15 DEKALB REGIONAL MEDICAL 16 CENTER, et al., 17 Defendant(s). | Case No. 2:21-cv-00791-JAD-NJK Report and Recommendation |
| 18 JANET J. MCALISTER, 19 Plaintiff(s), 20 v. 21 JACK MILLER, et al., 22 Defendant(s). | Case No. 2:21-cv-00792-JAD-NJK Report and Recommendation |
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| 2 | Plaintiff(s), | Report and Recommendation |
| 3 | v. | |
| 4 | JOHN LILLY, M.D., et al., | |
| 5 | Defendant(s). | |
| 6 | JASON CLARK, | Case No. 2:21-cv-00795-JAD-NJK |
| 7 | Plaintiff(s), | Report and Recommendation |
| 8 | v. | |
| 9 | PAUL J. WITT, | |
| 10 | Defendant(s). | |
| 11 | ELEANOR CLAIRE D'AMICO, | Case No. 2:21-cv-00796-APG-NJK |
| 12 | Plaintiff(s), | Report and Recommendation |
| 13 | v. | |
| 14 | TARGET HUNTINGTON MANAGER, et | |
| 15 | al., | |
| 16 | Defendant(s). | |
| 17 | ELEANOR CLAIRE D'AMICO, | Case No. 2:21-cv-00797-JAD-NJK |
| 18 | Plaintiff(s), | Report and Recommendation |
| 19 | v. | |
| 20 | KETEWOMOKE YACHT CLUB, | |
| 21 | Defendant(s). | |
| 22 | ELEANOR CLAIRE D'AMICO, | Case No. 2:21-cv-00798-JAD-NJK |
| 23 | Plaintiff(s), | Report and Recommendation |
| 24 | v. | |
| 25 | TOWN OF HUNTINGTON, NY, et al., | |
| 26 | Defendant(s). | |
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| 3 | v. | |
| 4 | JOEY DECUFFA, et al., | |
| 5 | Defendant(s). | |
| 6 | DOMINIC L. MAZZONE, JR., | Case No. 2:21-cv-00806-JAD-NJK |
| 7 | Plaintiff(s), | Report and Recommendation |
| 8 | v. | |
| 9 | JANET MOLLEN, et al., | |
| 10 | Defendant(s). | |
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| 12 | Plaintiff(s), | Report and Recommendation |
| 13 | v. | |
| 14 | KING KULLEN GENERAL MANAGER, et | |
| 15 | al., | |
| 16 | Defendant(s). | |
| 17 | ELEANOR CLAIRE D'AMICO, | Case No. 2:21-cv-00808-JAD-NJK |
| 18 | Plaintiff(s), | Report and Recommendation |
| 19 | v. | |
| 20 | PRIME RESTAURANT MANAGER, et al., | |
| 21 | Defendant(s). | |
| 22 | COREY ADAM HANSON, | Case No. 2:21-cv-00809-JAD-NJK |
| 23 | Plaintiff(s), | Report and Recommendation |
| 24 | v. | |
| 25 | MICHAEL BRINDSI, et al., | |
| 26 | Defendant(s). | |
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| 2 | Plaintiff(s), | Report and Recommendation |
| 3 | v. | |
| 4 | RICHARD SOLOMONS, | |
| 5 | Defendant(s). | |
| 6 | GARTH A. LEONARD, | Case No. 2:21-cv-00811-JAD-NJK |
| 7 | Plaintiff(s), | Report and Recommendation |
| 8 | v. | |
| 9 | U.S. POSTAL SERVICES POSTMASTER, | |
| 10 | et al., | |
| 11 | Defendant(s). | |
| 12 | CYNTHIA GATES, | Case No. 2:21-cv-00812-JAD-NJK |
| 13 | Plaintiff(s), | Report and Recommendation |
| 14 | v. | |
| 15 | WAYNE B. GOLDBERG, et al., | |
| 16 | Defendant(s). | |
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| 18 | Plaintiff(s), | Report and Recommendation |
| 19 | v. | |
| 20 | ALEX C. CABANAS, et al., | |
| 21 | Defendant(s). | |
| 22 | CYNTHIA GATES, | Case No. 2:21-cv-00814-JAD-NJK |
| 23 | Plaintiff(s), | Report and Recommendation |
| 24 | v. | |
| 25 | CARNIVAL CORPORATION & PLC, et al., | |
| 26 | Defendant(s). | |
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| 2 | Plaintiff(s), | Report and Recommendation |
| 3 | v. | |
| 4 | BIRMINGHAM CITY HALL, et al., | |
| 5 | Defendant(s). | |
| 6 | KATHERINE MARY TROTTIER, | Case No. 2:21-cv-00821-JAD-NJK |
| 7 | Plaintiff(s), | Report and Recommendation |
| 8 | v. | |
| 9 | DAVID J.G. BLACKMORE, et al., | |
| 10 | Defendant(s). | |
| 11 | KATHERINE MARY TROTTIER, | Case No. 2:21-cv-00823-JAD-NJK |
| 12 | Plaintiff(s), | Report and Recommendation |
| 13 | v. | |
| 14 | STEVE EASTERBROOK, et al., | |
| 15 | Defendant(s). | |
| 16 | KELLY-ANN LARSON, | Case No. 2:21-cv-00824-JAD-NJK |
| 17 | Plaintiff(s), | Report and Recommendation |
| 18 | v. | |
| 19 | TRIPLE FIVE GROUP GHERMEZIAN | |
| 20 | BROTHERS, | |
| 21 | Defendant(s). | |
| 22 | KENNETH M. MERONEY, | Case No. 2:21-cv-00825-JAD-NJK |
| 23 | Plaintiff(s), | Report and Recommendation |
| 24 | v. | |
| 25 | CHRISTOPHER J. NASSETTA, et al., | |
| 26 | Defendant(s). | |
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| 2 | Plaintiff(s), | Report and Recommendation |
| 3 | v. | |
| 4 | LA QUINTA HOLDINGS, et al., | |
| 5 | Defendant(s). | |
| 6 | LAURA BETA GRABER, | Case No. 2:21-cv-00833-JAD-NJK |
| 7 | Plaintiff(s), | Report and Recommendation |
| 8 | v. | |
| 9 | U.S. POSTAL SERVICES, POSTMASTER | |
| 10 | GENERAL, et al., | |
| 11 | Defendant(s). | |
| 12 | LAURA XIRENA GONZALEZ, | Case No. 2:21-cv-00834-JAD-NJK |
| 13 | Plaintiff(s), | Report and Recommendation |
| 14 | v. | |
| 15 | DANNY GUTIERREZ, SR., et al., | |
| 16 | Defendant(s). | |
| 17 | LAURALEE TYLER, | Case No. 2:21-cv-00836-JAD-NJK |
| 18 | Plaintiff(s), | Report and Recommendation |
| 19 | v. | |
| 20 | BEAR MOUNTAIN STATE PARK, et al., | |
| 21 | Defendant(s). | |
| 22 | LINDA SUE WITTUM, | Case No. 2:21-cv-00838-JAD-NJK |
| 23 | Plaintiff(s), | Report and Recommendation |
| 24 | v. | |
| 25 | TRAVIS JANTZEN, et al., | |
| 26 | Defendant(s). | |
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| 3 | v. | |
| 4 | JIMMY HENSON, | |
| 5 | Defendant(s). | |
| 6 | LUCRECIA PEREZ, | Case No. 2:21-cv-00841-JAD-NJK |
| 7 | Plaintiff(s), | Report and Recommendation |
| 8 | v. | |
| 9 | STUART D. GOLDSTEIN, et al., | |
| 10 | Defendant(s). | |
| 11 | MARK ALLAN UNTERSCHER, | Case No. 2:21-cv-00842-JAD-NJK |
| 12 | Plaintiff(s), | Report and Recommendation |
| 13 | v. | |
| 14 | STEPHEN P. HOLMES, et al., | |
| 15 | Defendant(s). | |
| 16 | MARK ALLAN UNTERSEHER, | Case No. 2:21-cv-00845-JAD-NJK |
| 17 | Plaintiff(s), | Report and Recommendation |
| 18 | v. | |
| 19 | HOLIDAY INN CLUB VACATIONS, et al., | |
| 20 | Defendant(s). | |
| 21 | MARLA DEWALT SUMMEY, | Case No. 2:21-cv-00846-JAD-NJK |
| 22 | Plaintiff(s), | Report and Recommendation |
| 23 | v. | |
| 24 | ST. PAUL'S EPISCOPAL SCHOOL | |
| 25 | BOARD CHAIRMAN AND SCHOOL | |
| 26 | RECTOR, et al., | |
| 27 | Defendant(s). | |
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| 1 2 3 4 5 | MARLA DEWALT SUMMEY, Plaintiff(s), v. TAMMY WEBB, et al., Defendant(s). | Case No. 2:21-cv-00847-JAD-NJK Report and Recommendation |
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| 16 17 18 19 20 | PAUL ALLEN TAYLOR, Plaintiff(s), v. GENE IMEL, et al., Defendant(s). | Case No. 2:21-cv-00851-JAD-NJK Report and Recommendation |
| 21 22 23 24 25 26 27 28 | MARYANNE CHRISTINA PIENTA, Plaintiff(s), v. ANTHONY CLARK, et al., Defendant(s). | Case No. 2:21-cv-00852-JAD-NJK Report and Recommendation |

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| 6 7 8 9 10 | PAULINE VICTORIA AUGHE, Plaintiff(s), v. ALBERT JEYTE, et al., Defendant(s). | Case No. 2:21-cv-00854-JAD-NJK Report and Recommendation |
| 11 12 13 14 15 | RICK SCHUSSLER, Plaintiff(s), v. STONEPINE HOA PRESIDENT, et al., Defendant(s). | Case No. 2:21-cv-00855-JAD-NJK Report and Recommendation |
| 16 17 18 19 20 | ROBERT J. GARLOW, Plaintiff(s), v. RICHARD M. BRACKEN, et al., Defendant(s). | Case No. 2:21-cv-00856-JAD-NJK Report and Recommendation |
| 21 22 23 24 25 26 27 28 | CONNIE CARR, Plaintiff(s), v. BERKLEY SOUTH CONDOMINIUM ASSOCIATION, INC., et al., Defendant(s). | Case No. 2:21-cv-00857-JAD-NJK Report and Recommendation |

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| 1 | ROBERT WESLEY HENDERSON, | Case No. 2:21-cv-00858-JAD-NJK |
| 2 | Plaintiff(s), | Report and Recommendation |
| 3 | v. | |
| 4 | CRAIG M. NASH, et al., | |
| 5 | Defendant(s). | |
| 6 | ROBIN FLYNN, | Case No. 2:21-cv-00859-JAD-NJK |
| 7 | Plaintiff(s), | Report and Recommendation |
| 8 | v. | |
| 9 | JOHN Z. KUKRAL, et al., | |
| 10 | Defendant(s). | |
| 11 | RONALD LEE PENDLETON, | Case No. 2:21-cv-00860-JAD-NJK |
| 12 | Plaintiff(s), | Report and Recommendation |
| 13 | v. | |
| 14 | BIGLARI HOLDINGS, et al., | |
| 15 | Defendant(s). | |
| 16 | MARY LOU MATHIS, | Case No. 2:21-cv-00861-JAD-NJK |
| 17 | Plaintiff(s), | Report and Recommendation |
| 18 | v. | |
| 19 | PAUL ALLEN, et al., | |
| 20 | Defendant(s). | |
| 21 | MELINDA DIANE SCOTT, | Case No. 2:21-cv-00862-JAD-NJK |
| 22 | Plaintiff(s), | Report and Recommendation |
| 23 | v. | |
| 24 | ANNA LINNEY, | |
| 25 | Defendant(s). | |
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| 1 2 3 4 5 6 | ROSEMARY RAMIREZ, Plaintiff(s), v. LA CAZE DEVELOPMENT COMPANY, LLC, et al., Defendant(s). | Case No. 2:21-cv-00863-JAD-NJK Report and Recommendation |
| 7 8 9 10 11 | CHARY LYNN HELTON, Plaintiff(s), v. MICHAEL JENSEN-SILVA, et al., Defendant(s). | Case No. 2:21-cv-00864-JAD-NJK Report and Recommendation |
| 12 13 14 15 16 | MELISSA COFFEY, Plaintiff(s), v. AVA TOLUCA HILLS APARTMENTS, Defendant(s). | Case No. 2:21-cv-00865-JAD-NJK Report and Recommendation |
| 17 18 19 20 21 22 | CECIL E. BROWN, Plaintiff(s), v. BAL HARBOUR CHATEAUX CONDOMINIUM ASSOCIATION, INC., et al., Defendant(s). | Case No. 2:21-cv-00866-JAD-NJK Report and Recommendation |
| 23 24 25 26 27 28 | CONNIE S. YUNA, et al., Plaintiff(s), v. CAPITAL RESORTS OCEAN VIEW VACATION VILLAS, et al., Defendant(s). | Case No. 2:21-cv-00867-JAD-NJK Report and Recommendation |

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| 1 2 3 4 5 6 | MICHAEL C. LUCAS, Plaintiff(s), v. JEFFERSON COUNTY PUBLIC LIBRARY, et al., Defendant(s). | Case No. 2:21-cv-00868-JAD-NJK Report and Recommendation |
| 7 8 9 10 11 | NANCY HENDLER, Plaintiff(s), v. ANDREW ALEXANDER, et al., Defendant(s). | Case No. 2:21-cv-00869-JAD-NJK Report and Recommendation |
| 12 13 14 15 16 | NANCY HENDLER, Plaintiff(s), v. WAL-MART STORES, INC., et al., Defendant(s). | Case No. 2:21-cv-00870-JAD-NJK Report and Recommendation |
| 17 18 19 20 21 | MICHAEL W. PARKS, Plaintiff(s), v. PATRICK H. HAMILL, et al., Defendant(s). | Case No. 2:21-cv-00871-JAD-NJK Report and Recommendation |
| 22 23 24 25 26 27 28 | NANCY HENDLER, Plaintiff(s), v. GATOR TOWN INN, Defendant(s). | Case No. 2:21-cv-00872-JAD-NJK Report and Recommendation |

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| 1 | MISTIE CORDES RODES, | Case No. 2:21-cv-00873-JAD-NJK |
| 2 | Plaintiff(s), | Report and Recommendation |
| 3 | v. | |
| 4 | DORIS VOITIER, et al., | |
| 5 | Defendant(s). | |
| 6 | PATRICIA BRANDON, | Case No. 2:21-cv-00874-JAD-NJK |
| 7 | Plaintiff(s), | Report and Recommendation |
| 8 | v. | |
| 9 | INTERCONTINENTAL HOTELS GROUP | |
| 10 | (IHG), et al., | |
| 11 | Defendant(s). | |
| 12 | PATRICIA BRANDON, | Case No. 2:21-cv-00875-JAD-NJK |
| 13 | Plaintiff(s), | Report and Recommendation |
| 14 | v. | |
| 15 | SASSY HENRY, et al., | |
| 16 | Defendant(s). | |
| 17 | MITCHELL E. NIHART SR., | Case No. 2:21-cv-00876-JAD-NJK |
| 18 | Plaintiff(s), | Report and Recommendation |
| 19 | v. | |
| 20 | INDIANA BUREAU OF MOTOR | |
| 21 | VEHICLES, et al., | |
| 22 | Defendant(s). | |
| 23 | SUSAN BRANDWEIN, | Case No. 2:21-cv-00877-JAD-NJK |
| 24 | Plaintiff(s), | Report and Recommendation |
| 25 | v. | |
| 26 | MEGAN J. BRENNAN, et al., | |
| 27 | Defendant(s). | |
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| 1 STEVEN WAYNE SWEDBERG, 2 Plaintiff(s), 3 v. 4 KEITH E. SMITH, et al., 5 Defendant(s). | Case No. 2:21-cv-00878-JAD-NJK Report and Recommendation |
| 6 SHELLEY MICHELLE WRIGHT, 7 Plaintiff(s), 8 v. 9 MARK B. ROSENBERG, et al., 10 Defendant(s). | Case No. 2:21-cv-00879-JAD-NJK Report and Recommendation |
| 11 MITCHELL J. OELLRICH, 12 Plaintiff(s), 13 v. 14 SIX FLAGS DISCOVERY KINGDOM, 15 Defendant(s). | Case No. 2:21-cv-00880-JAD-NJK Report and Recommendation |
| 16 SHELDON L. KRESLER, et al., 17 Plaintiff(s), 18 v. 19 POMPAÑO ATLANTIS CONDOMINIUM 20 ASSOCIATION, INC., et al., 21 Defendant(s). | Case No. 2:21-cv-00881-JAD-NJK Report and Recommendation |
| 22 SHARON L. TOWNSEND, 23 Plaintiff(s), 24 v. 25 BRUCE A. CORDINGLEY, et al., 26 Defendant(s). | Case No. 2:21-cv-00882-JAD-NJK Report and Recommendation |

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| 1 ROSEMARY SALES, 2 Plaintiff(s), 3 v. 4 BLACKSTONE GROUP, L.P., et al., 5 Defendant(s). | Case No. 2:21-cv-00883-JAD-NJK Report and Recommendation |
| 6 MITCHELL J. OELLRICH, 7 Plaintiff(s), 8 v. 9 SILVER SMOKE AND LIQUOR STORE, 10 Defendant(s). | Case No. 2:21-cv-00884-JAD-NJK Report and Recommendation |
| 11 SCOTT D. CHAFFEE, 12 Plaintiff(s), 13 v. 14 THE BLACKSTONE GROUP L.P., et al., 15 Defendant(s). | Case No. 2:21-cv-00886-JAD-NJK Report and Recommendation |
| 16 STEVEN WAYNE SWEDBERG, 17 Plaintiff(s), 18 v. 19 IRWIN MOLASKY, et al., 20 Defendant(s). | Case No. 2:21-cv-00887-JAD-NJK Report and Recommendation |
| 21 SIMONE C. DUVEN, 22 Plaintiff(s), 23 v. 24 CRAIG M. NASH, et al., 25 Defendant(s). | Case No. 2:21-cv-00888-JAD-NJK Report and Recommendation |

1 JAMES MARTIN WOLF,

2 Plaintiff(s),

3 v.

4 RICHARD SOLOMONS, et al.,

5 Defendant(s).

Case No. 2:21-cv-00895-JAD-NJK

Report and Recommendation

6 This is one of 140 cases initiated by Hank Falstad, who identifies himself as an ADA
7 architect. In its order dated May 7, 2021, the Court required Plaintiff to take action should Plaintiff
8 wish to continue with the litigation. In particular, Plaintiff was required to file an amended
9 complaint properly signed either by Plaintiff or by a licensed attorney. In addition, Plaintiff was
10 required to either pay the filing fee or file an application to proceed *in forma pauperis*. The
11 deadline for compliance was set at June 7, 2021. The Court warned that failure to comply with
12 that order may result in dismissal of the case. To date, Plaintiff has not complied with these
13 requirements.

14 The Federal Rules of Civil Procedure mandate that a complaint initiating a case must be
15 signed by the plaintiff herself or by her attorney. Fed. R. Civ. P. 11(a). “The court must strike an
16 unsigned paper unless the omission is promptly corrected after being called to the attorney’s or
17 party’s attention.” *Id.* Moreover, initiating a federal lawsuit generally requires the payment of a
18 filing fee. *See* 28 U.S.C. § 1914(a). To the extent a plaintiff cannot afford to pay the filing fee,
19 she must file an application to proceed *in forma pauperis*. *See* 28 U.S.C. § 1915(a). When a
20 plaintiff does not pay the filing fee or file an application to proceed *in forma pauperis*, the case
21 may be dismissed. *See, e.g., Desai v. Biden*, 2021 WL 38169, at *1 (E.D. Cal. Jan. 5, 2021),
22 *adopted*, 2021 WL 276236 (E.D. Cal. Jan. 27, 2021).

23 As noted above, there is not a properly signed complaint in this case and that defect has
24 not been cured despite an opportunity to do so. Moreover, Plaintiff has not paid the filing fee or
25 filed an application to proceed *in forma pauperis*.

26 The undersigned finds that dismissal without prejudice is appropriate under the
27 circumstances. A Court may dismiss an action based on a party’s failure to prosecute her case or
28 obey an order. *See, e.g., Ferdik v. Bonzelet*, 963 F.2d 1258, 1260–61 (9th Cir. 1992); *Malone v.*

1 *U.S. Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987); *Henderson v. Duncan*, 779 F.2d 1421,
2 1424 (9th Cir. 1986). In determining whether to dismiss an action on one of these grounds, the
3 Court must consider: (1) the public's interest in expeditious resolution of litigation; (2) the Court's
4 need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring
5 disposition of cases on their merits; and (5) the availability of less drastic alternatives. *E.g., Ferdik*,
6 963 F.2d at 1260–61.

7 These factors weigh in favor of dismissal here. The first two factors, the public's interest
8 in expeditiously resolving this litigation and the Court's interest in managing its docket, weigh in
9 favor of dismissal. The third factor, risk of prejudice to Defendants, also weighs in favor of
10 dismissal because a presumption of injury arises from the occurrence of unreasonable delay in
11 filing a pleading ordered by the court or prosecuting an action. *See Anderson v. Air West*, 542 F.2d
12 522, 524 (9th Cir. 1976). A Court's warning to a party that its failure to obey an order will result
13 in dismissal satisfies the fifth factor's "consideration of alternatives" requirement, *see, e.g., Ferdik*,
14 963 F.2d at 1262, and that warning was given here. The fourth factor, the public policy favoring
15 disposition of cases on their merits, is greatly outweighed by the factors favoring dismissal.

16 Accordingly, the undersigned **RECOMMENDS** that this case be **DISMISSED** without
17 prejudice.

18 Dated: August 3, 2021

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Nancy J. Koppe
United States Magistrate Judge

21 **NOTICE**

22 This report and recommendation is submitted to the United States District Judge assigned
23 to this case pursuant to 28 U.S.C. § 636(b)(1). A party who objects to this report and
24 recommendation must file a written objection supported by points and authorities within fourteen
25 days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file
26 a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951
27 F.2d 1153, 1157 (9th Cir. 1991).
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